

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AMERICAN SEATING COMPANY

Plaintiff,

Case Number: 1:01-cv-578

v.

Honorable Avern Cohn

USSC GROUP, INC., et al,

Defendants.

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CONSOLIDATED AMENDED FINAL JUDGMENT

This is a patent case in which the issues of validity and infringement were bifurcated from damages. The case involves United States Patent No. 5,888,038 ('038 Patent).

The action for validity and infringement came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict. A jury verdict having been reached on January 26, 2006;

IT IS ORDERED AND ADJUDGED THAT the invention of the '038 Patent was not disclosed to the public or in public use before December 2, 1995, therefore the patent is valid, and that the USSC VPRO II tie down for wheelchairs does not infringe the '038 Patent.

The action for damages came before the Court for a trial by jury. The issues have been tried and the jury has rendered a verdict. A jury verdict having been reached on June 23, 2006;

IT IS ORDERED AND ADJUDGED that for infringement of the '038 Patent of the USSC VPRO I tie down for wheelchairs, plaintiff American Seating Company is awarded a judgment against defendants USSC Group, Inc., in the amount of \$2,326,129.00. The particulars of the amount awarded are reflected on the verdict rendered on June 23, 2006.

This consolidated judgment concludes the case on the '038 Patent.

For the reasons stated in the Memorandum of July 13, 2006, the Court expressly states that there is no just reason for delaying determination that this judgment as to validity, infringement, and damages, is final as to the '038 Patent for purposes of enforcement and appeal.

SO ORDERED.

Dated: July 18, 2006

s/ Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE